

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STRIKE 3 HOLDINGS, LLC,

Plaintiff,

v.

JOHN DOE SUBSCRIBER ASSIGNED IP
ADDRESS 76.218.205.21,

Defendant.

Case No. 19-cv-02866-SK

**ORDER REGARDING CASE
MANAGEMENT CONFERENCE AND
ORDER TO SHOW CAUSE**

Regarding Docket No. 14

On August 26, 2019, the Court held a case management conference. (Dkt. 14.) The Court discussed Plaintiff's failure to timely serve the third-party subpoena authorized by the Court's order of June 17, 2019. (Dkt. 8.) Plaintiff's counsel provided slender justification for his delay in prosecuting this case and indicated that, due to the belated service on the third party, he does not expect a response identifying Defendant until the end of September. The Court set a further case management conference for October 7, 2019.

The Court hereby ORDERS that the Plaintiff show cause why this case should not be dismissed for failure to prosecute. Plaintiff's written response shall be due no later than September 9, 2019. Once Plaintiff has identified Defendant based on the third-party subpoena response, Plaintiff shall notify Defendant of the date of the further case management conference and serve Defendant with a copy of this order to show cause and Plaintiff's response. Defendant may respond to this Order to Show Cause, within seven business days, indicating whether Plaintiff's delay in prosecution has prejudiced Defendant's ability to defend this action.

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The parties joint case management statement shall be due no later than September 30, 2019.

IT IS SO ORDERED.

Dated: August 27, 2019



SALLIE KIM
United States Magistrate Judge